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California Pipe Recycling, Inc.

UNITED STATES DISTRICT COURT

IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA

|                                     |   |                                  |
|-------------------------------------|---|----------------------------------|
| CALIFORNIA PIPE RECYCLING, INC.,    | ) | Case No.: 08-cv-236              |
| Plaintiff,                          | ) |                                  |
| vs.                                 | ) | <i>Assigned for All Purposes</i> |
|                                     | ) | <i>Hon. Lawrence J. O'Neill</i>  |
| S.W. PIPE HOLDINGS., a Corporation; | ) |                                  |
| SOUTHWEST PIPE SERVICES, INC., a    | ) | <b>ORDER</b>                     |
| Corporation; JOSEPH BRIERS, an      | ) |                                  |
| individual; BRIERS PIPE SERVICES    | ) |                                  |
| CORP., a Corporation; ROBERT P.     | ) |                                  |
| INGRUM, an individual; ROBBYE R.    | ) |                                  |
| WALDRON, Chapter 7 Trustee, and     | ) |                                  |
| DOES 1-10, inclusive,               | ) |                                  |
| Defendants.                         | ) |                                  |

**ORDER**

Plaintiff's *ex parte* application for Leave to Amend its Motion to Be Discharged and for a Continuance having been duly considered by the court, and finding substantial justification therefore:

**IT IS HEREBY ORDERED THAT**

The Plaintiff is ordered to file his amended moving papers on or before February 9, 2009 at midnight PST.

Defendant Robert P. Ingrum, should he oppose, will file his Opposition on or before February 13, 2009 at midnight PST.

Any party not opposing will file a Notice of Non-Opposition pursuant to LR 78-230 (c) on or before February 13, 2009 at midnight PST.

Any Reply from the Plaintiff will be filed on or before February 17, 2009 at midnight PST.

This Court VACATES the February 17, 2009 hearing on Plaintiff's Motion to be Discharged and for an Award of Attorney's Fees and will issue an order as time permits based on the record and without a hearing. This Court sets no hearing on the motion.

IT IS SO ORDERED.

**Dated: February 6, 2009**

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE